

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

FOR THE

District of

MASSACHUSETTS

MEYNARD DESIGNS, INC. AND

EARTH VISIONS INC.

V.

EARTH PRODUCTS, INC.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

TO: (Name and address of Defendant)

05 CV 11781 NMG

Earth Products, Inc.
5830 ElCamino Real
Carlsbad, CA 92008

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

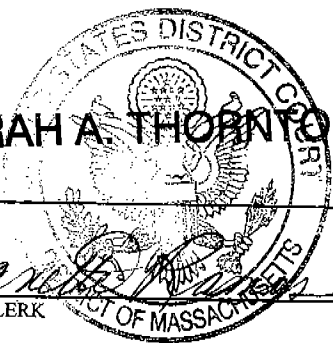
SARAH A. THORNTON

CLERK

DATE

8/29/05

(By) DEPUTY CLERK



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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	9-12-05
NAME OF SERVER (PRINT) ADAM LORCE	TITLE	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input checked="" type="checkbox"/> Other (specify): Served on attorney's office per parties' agreement.		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>9-12-05</u> <u>Adam Lorce</u> Date Signature of Server</p> <p style="text-align: center;"><u>2225 4th AVE STE. 3</u> Address of Server</p>		
ACCEPTANCE OF SERVICE		
<p>The undersigned attorney, Cindy Caditz of Christensen O'Connor Johnson & Kindness, is authorized to and does hereby accept service of the Summons and Complaint on behalf of Defendant Earth Products, Inc.</p> <p>Dated this <u>12th</u> day of September 2005 Christensen O'Connor Johnson & Kindness</p> <p style="text-align: right;"> <u>Cindy Caditz</u> Cindy Caditz, WSBA # 1420 5th Avenue, Suite 2800 Seattle, WA 98101 (206) 682-8100 phone (206) 224-0779 fax cindy.caditz@cojck.com Attorneys for Earth Products, Inc. </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.